

**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT**

Merrimack Superior Court  
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Concord NH 03302-2880

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**NOTICE OF DECISION**

**Christopher M. Candon, ESQ  
Sheehan Phinney Bass & Green PA  
1000 Elm St  
PO Box 3701  
Manchester NH 03105-3701**



Case Name: **In the Matter of the Liquidation of Noble Trust Company**  
Case Number: **217-2008-EQ-00053**

Enclosed please find a copy of the court's order of October 01, 2014 relative to:

Order Approving of Settlement Agreements with Ronald P. Kaufman and Related Entities, PNC Bank and Ohio Attorney General

October 08, 2014

William S. McGraw  
Clerk of Court

(484)

C: Steven A Solomon, ESQ; Russell F Hilliard, ESQ; Thomas Hetherington, ESQ; Gordon J MacDonald, ESQ; John M Sullivan, ESQ; Peter C.L. Roth, ESQ; Byrne J. Decker, ESQ; Michele E. Kenney, ESQ; Jonathan P. Pavlovcak, ESQ; William S. Gannon, ESQ; J. Christopher Marshall, ESQ; Bertrand A. Zalinsky, ESQ; David D. Cowan; Steven J. Lauwers, ESQ; Michael S. Lewis, ESQ; Nathan R. Lander, ESQ; James F. Laboe, ESQ; Stephen A. Serfass; Michael E. Anderson, ESQ; Jonathan M. Shirley, ESQ; Katherine B Stearns, ESQ

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SUPERIOR COURT

Docket No. 08-E-0053

**In the Matter of the Liquidation of  
Noble Trust Company**

**ORDER APPROVING OF SETTLEMENT AGREEMENTS  
WITH RONALD P. KAUFFMAN AND RELATED ENTITIES,  
PNC BANK AND OHIO ATTORNEY GENERAL**

Upon consideration of the Liquidator's Motion for Approval of Settlement Agreements With Ronald P. Kauffman and Related Parties, PNC Bank and the Ohio Attorney General (the "Motion") pursuant to which Glenn A. Perlow, Bank Commissioner for the State of New Hampshire, in his capacity as liquidator (the "Liquidator") of Noble Trust Company ("Noble Trust"), seeks approval of three separate, but related settlement agreements arising out of a dispute concerning real property in Ohio and associated litigation; the settlement agreements are by and between the Liquidator<sup>1</sup> and each of the entities as follows: (i) Ronald P. Kauffman ("Mr. Kauffman") in his individual capacity and, in his capacities as purported trustee of the Ronald P. Kauffman Charitable Trust dated December 21, 2007 (the "Unitrust") as grantor of the Ronald P. Kauffman Irrevocable Trust dated September 6, 2007, and as grantor of the Ronald Kauffman Trust (the CS Trust), executed by the parties on May 8, 2014 and June 1, 2014 (the "Kauffman Settlement Agreement"); (ii) the Ohio Attorney General (the "Ohio AG") executed by the parties on May 25, 2012 and June 4, 2012 (the "Ohio AG Settlement Agreement"); and (iii) PNC Bank, National Association ("PNC") executed by the parties on October 13, 2011 and October 21, 2011

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<sup>1</sup> At the time of the execution of the Settlement Agreements with PNC and the Ohio AG, Robert A. Fleury was the Liquidator of Noble Trust. On February 1, 2013, Glenn A. Perlow was appointed by order of this Court the successor Liquidator of Noble Trust. As successor Liquidator, Mr. Perlow endorses the Settlement Agreements and hereby moves for their approval.

(the “PNC Settlement Agreement,” together with the Kauffman Settlement Agreement and the Ohio AG Settlement Agreement, the “Settlement Agreements”); notice of the Motion having been given and served upon all creditors and other interested persons entitled thereto as evidenced by the Certificate of Service submitted with respect to the Motion; this Court having reviewed the Motion, the Affidavit of Robert A. Fleury in Support of the Motion and the unredacted Kauffman Settlement Agreement and PNC Settlement Agreement filed under seal in accordance with this Court’s Order Establishing Settlement Agreement Review Procedures dated December 5, 2012; there being no objections to the Motion; and the Court being otherwise fully advised in the premises and having found that the Settlement Agreements are an appropriate and prudent exercise of the Liquidator’s judgment, are fair and reasonable and are in the best interests of this estate and its creditors; and, after due deliberation and sufficient cause appearing therefor; it is hereby

**ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Motion is granted and the Settlement Agreements are approved. The Liquidator, PNC, Ohio AG, Mr. Kauffman and all other parties are authorized to take all steps and execute all documents necessary or convenient to consummate or otherwise enter into the Settlement Agreements.
2. The Liquidator has given adequate and sufficient notice of the relief requested in the Motion to all parties entitled thereto and has complied with all applicable requirements of due process with respect to the Motion and the relief requested therein.
3. Pursuant to the Kauffman Settlement Agreement, Mr. Kauffman shall grant, assign or otherwise transfer to the Liquidator or his nominee: (i) the Land Contract<sup>2</sup> and the

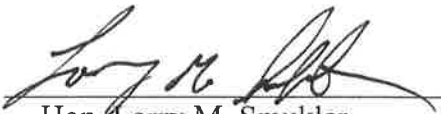
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<sup>2</sup> Capitalized terms used in this Order and not otherwise defined herein are intended to have the same meaning as ascribed to them in the Motion.

Church Guaranty, and (ii) any claims that he has or may have against Noble Trust, including the Proof of Claim filed in the Liquidation Proceeding by or on behalf of Mr. Kauffman and/or the Unitrust.

So Ordered.

Dated: August 15, 2014

  
Hon. Larry M. Smukler

8/27/14  
Reissued this  
day.  
Larry M. Smukler

10/1/14  
Reissued once again  
this day.  
Larry M. Smukler